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OFFICE OF PETITIONS

STRATEGIC PATENTS P.C.
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In re Application of	:	
MCSHEFFREY et al.	:	
Application No. 10/614,948	:	ON PETITION
Filed: 07/08/2003	:	
Attorney Docket No. ENGA-0007-P01	:	

This is a decision on the petition under 37 CFR 1.137(b), filed October 20, 2010, to revive the above-identified application.

The application became abandoned for failure to submit the issue and publication fees on February 19, 2010, in response to the Notice of Allowance and Fee(s) Due mailed on November 19, 2009, which set a three (3) month statutory period for reply. A Notice of Abandonment was mailed March 8, 2010.

Applicants submitted the required reply in the form of the issue fee, publication fee, a Request for Continued Examination (RCE), and an Information Disclosure Statement. Applicants made an appropriate statement of unintentional delay and paid the petition fee. Accordingly, the petition is **GRANTED**.

Applicants are advised that the issue fee and publication fee in the above-identified application cannot be refunded. If, however, the above-identified application is again allowed, applicants may request that they be applied towards the issue fee and publication fee required by the new Notice of Allowance.¹

This matter is being referred to Technology Center AU 3752 for processing of the RCE and the submission under 37 CFR 1.114.

¹ The request to apply the issue fee to the new Notice must be made in writing and should be accompanied by the new Issue Fee Transmittal Form PTOL-85(b), along with a copy of this decision. The request and pertinent attachments should be addressed to Box Issue Fee. Additionally, if the issue fee has increased from the previously paid issue fee, the balance due must be submitted. **Failure to request in writing that the previously paid issue fee be applied towards the new Notice and payment of any balance due will result in the abandonment of the application.**

Telephone inquiries related to this decision may be directed to the undersigned at (571) 272-3211.

Christina Tartera Donnell

Christina Tartera Donnell
Senior Petitions Attorney
Office of Petitions